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12 United States of America

13
14 IN THE UNITED STATES DISTRICT COURT
15 EASTERN DISTRICT OF CALIFORNIA

16
17 UNITED STATES OF AMERICA,

18 Plaintiff,

19 v.

20 MIGUEL MAGANA MARTINEZ,

21 Defendant.

22 CASE NO. 5:23-MJ-00021-CDB

23 STIPULATION TO CONTINUE PRELIMINARY
24 HEARING AND EXCLUDE TIME

25
26 The parties stipulate as follows:

27 1. The complaint was filed in this district on June 1, 2023, and the defendant made his
28 initial appearance on June 9, 2023. The Court scheduled a preliminary hearing for June 23, 2023.

29 2. The parties agree to continue the preliminary hearing until August 25, 2023, at 2:00 p.m.,
30 before the duty Magistrate Judge.

31 3. The parties agree that good cause exists for the extension because the extension is
32 required to allow the defense reasonable time for preparation and for the government's continuing
33 investigation of the case. The parties also agree that the interests of justice served by granting this
34 continuance outweigh the best interests of the public and the defendant in a speedy trial.

35 Finally, the parties agree that the period from June 15, 2023, through August 25, 2023, should be
36 excluded. Fed. R. Crim. P. 5.1(d); 18 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(iv).

1 IT IS SO STIPULATED.
2

3 Dated: June 15, 2023

4 PHILLIP A. TALBERT
5 United States Attorney

6 */s/ Joseph Barton*
7 Joseph Barton
8 Assistant United States Attorney

9 Dated: June 15, 2023

10 */s/ Alekxia Torres-Stallings*
11 Alekxia Torres-Stallings
12 Counsel for Miguel Martinez

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17 EASTERN DISTRICT OF CALIFORNIA

18 UNITED STATES OF AMERICA,

19 Plaintiff,

20 v.

21 MIGUEL MAGANA MARTINEZ,

22 Defendant.

23 CASE NO. 5:23-MJ-00021-CDB

24 ORDER

25 The Court has read and considered the parties' stipulation to continue the preliminary hearing
26 and exclude time. The Court finds there is good cause for the continuance so as to allow the defense
27 reasonable time for preparation and for the government's continuing investigation of the case. The
28 Court also finds that the interests of justice served by granting the continuance outweigh the interests of
the public and the defendant in a speedy trial. Fed. R. Crim. P. 5.1(d); 18 U.S.C. § 3161(h)(7)(A) and
(h)(7)(B)(iv).

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1 Therefore, for good cause shown:

2 1. The preliminary hearing is continued from June 23, 2023, until **August 25, 2023, at 2:00**

3 **p.m. before Magistrate Judge Erica P. Grosjean**, and the defendant shall appear at that time before
4 the Magistrate Judge on duty; and

5 2. The period from June 15, 2023, through August 25, 2023, shall be excluded.

6 IT IS SO ORDERED.

7 Dated: June 15, 2023

/s/ Barbara A. McAuliffe

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9 UNITED STATES MAGISTRATE JUDGE

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